

PATENT MAINTENANCE  
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Jan-23-07 16:40

From-KILPATRICK STOCKTON LLP

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PTO/SB/84 (07-06)

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED  
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)  
52224/294510

First named inventor: Eric Klinker

Application No.: 09/833,219

Art Unit: 2616

Filed: April 10, 2001

Examiner: Saba TSEGAYE

Title: System and Method to Assure Network Service Levels with Intelligent Routing

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JAN 23 2007

Attention: Office of Petitions

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

FAX: (571) 273-8300

01/31/2007 DALLEN 00000017 110855 09833219

OFFICE OF PETITIONS

01 FC:2453 750.00 DA

02 FC:1501 1400.00 DA

03 FC:1504 300.00 DA

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 273-3282.

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The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

(1) Petition fee;	Void date: 01/31/2007 DALLEN
(2) Reply and/or issue fee;	01/31/2007 DALLEN 00000017 110855 09833219
(3) Terminal disclaimer with disclaimer fee required for utility and plant applications filed before June 8, 1995, except all design applications; and	01 FC:2453 750.00 DA
(4) Statement that the entire delay was unintentional.	02 FC:1501 1400.00 DA

1. Petition fee

Small entity - fee \$750 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

Other than small entity - fee \$\_\_\_\_\_ (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of \_\_\_\_\_ (identify type of reply):

has been filed previously on \_\_\_\_\_.

is enclosed herewith.

B. The issue fee of \$700 and publication fee of \$300

has been paid previously on \_\_\_\_\_.

is enclosed herewith.

01/31/2007 DALLEN 00000018 110855 09833219

01 FC:1501 1400.00 DA

02 FC:1504 300.00 DA

01/31/2007 DALLEN 00000019 09833219

01 FC:2453 750.00 DA

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

## 3. Terminal disclaimer with disclaimer fee

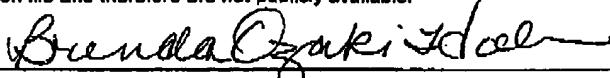
Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$\_\_\_\_ for a small entity or \$\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

## 4. STATEMENT. The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

## WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.



January 23, 2007

Signature

Date

Brenda Ozaki Holmes

40,339

Typed or printed name

Registration Number, if applicable

Kilpatrick Stockton LLP

404-815-6500

Address

Telephone Number

Suite 2800, 1100 Peachtree Street, Atlanta, Georgia 30309

Address

Enclosures:  Fee Payment

Reply

Terminal Disclaimer Form

Additional sheets containing statements establishing unintentional delay

Other : PTOL-85; PTO/SB/47; Request to Acknowledge Supplemental Information Disclosure Statement

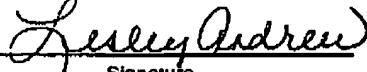
## CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

January 23, 2007



Signature

Date

Lesley L. Andrew

Typed or printed name of person signing certificate